

With respect to Clark's second argument, Rule 35(b) provides in relevant part that:

Upon the government's motion made within one year of sentencing, the court may reduce a sentence if the defendant, after sentencing, provided substantial assistance in investigating or prosecuting another person.

Fed.R.Crim.P. 35(b)(1). The Government has represented that Clark "did not provide substantial assistance in 'investigating or prosecuting another person.'" See Government's Response p. 2. Clark therefore is not entitled to a reduction for having provided substantial assistance to the prosecutor.

Clark's last argument requesting that the Court run her sentences concurrently fares no better. Rule 35(a) of the Federal Rules of Criminal Procedure provides in pertinent part: "(a) **Correcting Clear Error.** Within 7 days after sentencing, the court may correct a sentence that resulted from arithmetical, technical or other clear error." The seven day period is jurisdictional. See United States v. Colaizzi, 2007 WL 3120423 at *1 (W.D.Pa. 2007); United States v. Harris, 2004 WL 350171 at *1 (E.D.Pa. 2004). Because Clark's motion is untimely, the Court lacks jurisdiction to "correct" Clark's sentence. United States v. Harris, 2005 WL 23338 at *3 (E.D.Pa. 2005). Furthermore, there was no clear error in the original sentence.

Accordingly, on this 25th day of April, 2008, for the reasons set forth above,

IT IS HEREBY ORDERED that Clark's Motion for Reduction of Sentence [Doc. No. 11] is DENIED.

/s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record.